

### **REMARKS/ARGUMENTS**

The specification has been amended in accordance with the Examiner's helpful correctional comment, which is noted with appreciation.

Claims 1-7 have been rejected under 35 U.S.C. §102(b) as anticipated by Witchell U.S. Patent 3,395, 208.

Claims 1-7, 32-37, 39, 40, 46-48 have been rejected under 35 U.S.C. §102(b) as anticipated by Brown U.S. Patent 3,747,772.

Claims 1-7, 32-35, 37 have been rejected under 35 U.S.C. §102(b) as anticipated by Lanier, Jr. et al. U.S. Patent 5,795,361.

Claims 1, 2, 8, 32-34 have been rejected under 35 U.S.C. §102(b) as anticipated by Pomplun et al. U.S. Patent 5,902, 361.

Claims 9 has been rejected under 35 U.S.C. §103(a) over any one of Witchell '208, Brown '772, Lanier Jr. et al. '361, and Pomplun et al. '361 taken together with Ham U.S. Patent 6,986, 799.

Claims 9-11 have been rejected under 35 U.S.C. §103(a) over any one of Witchell '208, Brown '772, Lanier Jr. et al. '361, and Pomplun et al. '361 taken together with Romenesko et al. U.S. Patent 6,433, 049.

Claims 1-7, 9-47 stand canceled.

Claims 8 and 48 have been amended. Claims 49-51 are newly added. The amendment leaves claims 8, 48-51 pending.

Claim 8 has been rejected under 35 U.S.C. §102(b) over Pomplun et al. '361. Clarification of the basis in Pomplun et al. '361 for the rejection is respectfully requested. Applicant has reviewed Pomplun et al. '361 but has been unable to locate the subject matter of claim 8, including the support frame (172, Fig. 13) being an injection molded plastic member (page 3, lines 13-14) and the seal (200) being an injection molded thermoplastic member (page 3, lines 14-15), nether the support frame (172) nor the seal (200) being potted (page 3, line 15).

In contrast, in the injection molding of the filter element 10 in Pomplun et al. '361, Col. 5, lines 1-10, the filter material 12 is held clamped in the injection mold, being left free at the border zone, which free border 14 protrudes into that cavity of the mold that forms the filter element frame 20, and *connected to this mold cavity is the mold cavity forming the sealing lip 24*, Col. 5, lines 5-7, thus providing the same plastic material for the sealing lip and the filter element frame.

Claim 49 depends from claim 8 and is believed allowable for the reasons noted above. Furthermore, claim 49 specifically requires that the support frame (172) and the seal (200) are of different materials.

Claim 50 depends from claim 49 and is believed allowable for the reasons noted above. Furthermore, claim 50 requires that the material of the seal (200) is softer than the material of the support frame (172). This does not appear possible in Pomplun et al. '361 with the noted connection of the mold cavities forming the filter element frame 20 and sealing lip 24.

Claim 48 has been rejected under 35 U.S.C. §102(b) over Brown et al. '772. Claim 48 has been amended to particularly distinguish over Brown et al. '772. Claim 48 requires that the second portion (204) of the seal (200) extends laterally from the second surface (188) of the sidewall (172) to a nonrectilinear outer surface profile. This is not shown nor suggested in Brown et al. '772.

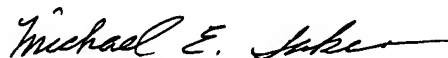
Added claim 51 depends from claim 48 and is believed allowable for the reason noted above. Furthermore, claim 51 requires that the nonrectilinear outer surface profile of the second portion (204) of the seal (200) extends along a first tapered ramp from a minimum lateral thickness at the noted first surface (186) to a maximum lateral thickness intermediate the first and third surfaces (186 and 198), and extends along a second tapered ramp from a minimum lateral thickness at the third surface (198) to the noted maximum lateral thickness intermediate the first and third surfaces (186 and 198). Consideration and allowance of claim 51 is respectfully requested.

Appl. No. 10/827,509  
Amendment dated September 21, 2006  
Reply to Office action of June 28, 2006

It is believed that this application is now in condition for allowance with claims 8, 48-51 and such action is earnestly solicited.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

A handwritten signature in cursive script, appearing to read "Michael E. Taken", with a long horizontal flourish extending to the right.

Michael E. Taken  
(Reg. No. 28,120)

100 East Wisconsin Avenue, Suite 1100  
Milwaukee, Wisconsin 53202  
(414) 271-7590